

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 1/21/2021
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WHITESTONE CONSTRUCTION CORP.,	:	
	:	
Plaintiff,	:	
-against-	:	1:20-cv-1006-GHW
	:	
YUANDA USA CORPORATION,	:	<u>ORDER</u>
	:	
Defendant.	:	
-----X	:	

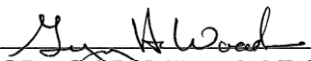
GREGORY H. WOODS, United States District Judge:

For the reasons stated on the record during the January 21, 2021 conference, Defendant's application to compel the deposition of Mr. Grzic on the basis of his personal knowledge, is granted. *See* Dkt. Nos. 92-23. Federal Rule of Civil Procedure 30(b)(6) permits a party to take the deposition of an individual in his capacity as a corporate representative, in addition to taking the deposition of that individual if served on the basis of his personal knowledge. Fed. R. Civ. P. 30(b)(6) ("This paragraph (6) does not preclude a deposition by any other procedure allowed by these rules."). Therefore, Defendant is entitled to a seven-hour single-day deposition of Mr. Grzic in his role as an individual with personal knowledge of the facts relevant to this case, in accordance with the Federal Rules of Civil Procedure. *See* Fed. R. Civ. P. 30(d)(1).

The parties are further directed to discuss whether Mr. Grzic's deposition warrants a modest modification of the Court's Amended Civil Case Management Plan and Scheduling Order, Dkt. No. 53. If the parties determine that a modest modification of the deposition and fact discovery deadlines is warranted, they are invited to submit a joint letter to the Court requesting such an extension.

SO ORDERED.

Dated: January 21, 2021



 GREGORY H. WOODS
 United States District Judge